

REMARKS

In view of the foregoing amendments and these remarks, reconsideration of the application is requested.

Initially, Applicant notes that the Examiner has not raised any substantive objections to claim 9 but does note that dependent claims 10-12 were rejected under 35 USC 102(b). As such, Applicant responds under the assumption that the Examiner also considers claim 9 as anticipated. In the event that this assumption is not correct, the Examiner is asked to clarify if there are any objections to claim 9.

Information Disclosure Statement

In the Office Action, the Examiner indicated that the prior art identified in the information disclosure statement was not considered as the Applicant did not indicate the date of the prior art. Applicant respectfully submits that the prior submitted showed a date of June 27, 2001 as shown on the second page of the document.

Objections to the Specification

In the Office Action, the Examiner objected to the specification for the spelling of "cheque". Applicant notes that the *Third New Webster's Encyclopedic Dictionary of the English Language* includes "cheque" (the common British spelling) as a synonym for the more common American spelling "check". A copy of the relevant page of the dictionary is enclosed for the convenience of the Examiner. As such, it is respectfully submitted that the current spelling is in accordance with the provisions of 35 USC 112.

Claim Objections

In the Office Action, the Examiner raised informality objections to the claims. In response, Applicant has amended claims 2-7 and 10-12, by changing "A" to --The--.

As above, Applicant submits that "cheque" is an acceptable spelling for "check" as per the Webster's Dictionary.

Claim Objections Under 35 USC 102

In the office action, the Examiner rejected claims 1-8 and 10-12 under 35 USC 102 as being anticipated by Sloane (US patent No. 5,918,211).

Applicant respectfully disagrees with the Examiner with respect to the interpretation of Sloane as explained in greater detail below. However, Applicant has amended independent claims 1 and 8 for clarity in order to emphasize that the system claimed by the applicant relates to a point-of-sale transaction system for managing information relating to a financial transaction between a purchaser and a vendor and that the transaction is a financial transaction. Support for these amendments is found throughout the specification.

Furthermore, and in support of the above amendments and the patentability of the subject application, Applicant discusses herein the subject application, the Sloane reference and the differences therein having consideration to the claims as amended.

The subject application generally relates to a system that manages the exchange of funds between a purchaser and a vendor when goods and services are being bought and sold. More specifically, the system includes a portable scanner for scanning information (text, code or handwriting) relating to a financial transaction and a point-of-sale terminal whereby the scanned information is sent out of the retail establishment to a transaction approval service for obtaining approval or denial of the transaction.

In contrast, Sloane teaches a system for influencing and potentially altering a consumer's decision to purchase a product by providing a portable scanner that communicates with a central computer. The consumer uses the portable scanner to scan bar codes or UPC codes of a specific product within the sales aisle of a store which is sent to the central computer and which then returns promotional information about the product back to the portable scanner for display to the consumer. Such promotional information may include price information that may be displayed in various formats to the consumer. As such, the Sloane system does not relate to financial transactions where the system manages the exchange of funds between a purchaser and a vendor when goods and services are being bought and sold. While Sloane uses language such as "point-of-purchase" (see abstract), this language is misleading as the "point-of-purchase" in the context of Sloane relates to the moment at which a consumer decides to remove a product from the shelf and does not relate to the moment at which ownership is transferred from the vendor to the purchaser through the exchange of funds. In other words, the Sloane system operates prior to the actual point-of-purchase by encouraging a purchaser to take an item off the shelf and put it in a shopping basket. In this regard, the Sloane system in no way relates to the actual point-of-purchase when there is an exchange of funds between the purchaser and vendor. Thus, Sloane does not teach or suggest a point-of-sale transaction system that relates

to a financial transaction between a purchaser and a vendor.

Turning to the claims, claims 1 and 8, as amended, describe a point-of-sale transaction system for managing information relating to a financial transaction between a purchaser and a vendor and requires both a portable scanner and a point-of-sale terminal. As such, it is respectfully submitted that 1) Sloane does not relate to a point-of-sale transaction system for managing information relating to a financial transaction but rather relates to a system for providing product information to a consumer prior to the actual to the point-of-purchase, 2) Sloane does not teach a point-of-sale terminal that enables the exchange of funds between a purchaser and a vendor, 3) Sloane does not report scanned information to a transaction approval service and 4) Sloane does not teach a POST capable of reporting transaction approval or denial information from the transaction approval service. The foregoing remarks apply equally to unamended claim 9.

Accordingly, it is believed that the objections under 35 USC 102(b) are overcome.

Objections Under 35 USC 103

In the office action, the examiner further rejected claims 8 and 13 under 35 USC 103(a) as being unpatentable over Sloane (US patent No. 5,918,211). In view of the amendments to the independent claims and the foregoing discussion with respect to the differences in structure and function of the two systems, Applicant submits that the objection under 35 USC 103(a) is similarly overcome.

More particularly, Sloane provides no evidence that would enable an unimaginative skilled worker to develop the point-of-sale transaction system as presently claimed. That is Sloane provides no information to motivate or lead the unimaginative skilled worker to Applicant's system as presently claimed.

On the basis that the objections to independent claims 1 and 8 are believed overcome, it is submitted that all claims are now in a condition for allowance.

Inventorship

The Applicant notes the Examiners presumption that the subject matter of the various claims was commonly owned at the time of invention. Applicant confirms that the subject matter of all claims was commonly owned at the date of invention.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that the application is in a condition for allowance. Should any minor points remain prior to the issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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ARH/ldk

Enclosures

1. Petition for one month extension of time
2. Marked-up Version Showing Changes Made
3. Webster's Third New International Dictionary

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MARKED-UP VERSION SHOWING CHANGES MADE

CLAIMS

1. A point-of-sale transaction system for managing information relating to a financial transaction between a purchaser and a vendor comprising:

a portable scanner for scanning information relating to a financial transaction;

a portable point-of-sale terminal (POST) in operative communication with the portable scanner for receiving the information, the POST also for reporting information to a transaction approval service and for receiving transaction approval or denial from the transaction approval service

wherein any one of or a combination of the portable scanner or POST formats the information for reporting to transaction approval service.

- 2.[A] The point-of-sale transaction system as in claim 1 wherein the scanner is in operative communication with the POST via a wireless link.

- 3.[A] The point-of-sale transaction system as in claim 1 wherein the scanner includes:

a processor operatively connected to a reader for processing scanned information and wherein the scanned information is any one of or a combination of text, code or handwriting on a cheque;

an interface operatively connected to the processor for operative communication with the POST;
and,

wherein the processor receives a digital image of the text, code and/or handwriting information and formats the text, code and/or handwriting information for sending to the POST via the interface.

- 3.[A] The point-of-sale transaction system as in claim 3 wherein the scanned information is the routing code from a cheque and the processor converts a digital image of the routing code to a formatted string.

4. [A] The point-of-sale transaction system as in claim 4 wherein the processor compares the formatted string to a library of jurisdictional codes to determine if the formatted string corresponds to a jurisdictional code.
5. [A] The point-of-sale transaction system as in claim 3 wherein the scanner includes a display operatively connected to the processor for displaying instructions or information to a user relating to the transaction.
6. [A] The point-of-sale transaction system as in claim 3 wherein the POST includes a card reader for reading information from any one of or a combination of a debit card, credit card or smart card.
7. A point-of-sale transaction system for managing information relating to a financial transaction between a purchaser and a vendor comprising:

a portable scanner for scanning information relating to a financial transaction; the scanner including

a processor operatively connected to a reader for processing scanned information and wherein the scanned information is any one of or a combination of text, code or handwriting,

an interface operatively connected to the processor;

a display operatively connected to the processor for displaying instructions or information to a user relating to the transaction; and,

wherein the processor receives a digital image of the text, code and/or handwriting information and formats the text, code and/or handwriting;

a portable point-of-sale terminal (POST) in operative communication with the portable scanner via a wireless link, the POST for receiving the scanned information, the POST also for reporting information to a transaction approval service and for receiving transaction approval or denial from the transaction approval service.

8. A method of obtaining approval for a cheque transaction between a payor and a payee comprising the steps of:
- a) scanning cheque information from a cheque with a portable scanner;
 - b) reporting the scanned cheque information to a point-of-sale terminal (POST);
 - c) establishing an operative connection between the POST and a cheque clearing service;
 - d) transferring the scanned cheque information to the cheque clearing service; and,
 - e) receiving transaction approval or denial at the POST from the cheque clearing service.
9. [A] The method as in claim 9 further comprising the step of printing a receipt at the POST.
10. [A] The method as in claim 9 wherein the portable scanner includes a processor and wherein after step a) the processor compares a scanned code with a library of jurisdictional codes to determine if the formatted string corresponds to a jurisdictional code.
11. [A] The method as in claim 9 wherein a payee enters the amount of the transaction into the POST or scanner for formatting and reporting to the cheque clearing service.
12. [A] The method of obtaining approval for a cheque transaction between a payor and a payee comprising the steps of:
- a) scanning cheque information from a cheque with a portable scanner wherein the cheque information includes any one of or a combination of text, code or handwriting;
 - b) entering a transaction amount on the POST;
 - c) reporting the scanned cheque information to a point-of-sale terminal (POST);
 - d) establishing an operative connection between the POST and a cheque clearing service;
 - e) transferring the scanned cheque information and the transaction amount to the cheque clearing service; and,

- f) receiving transaction approval or denial at the POST from the cheque clearing service.

Webster's Third New International Dictionary

OF THE ENGLISH LANGUAGE
UNABRIDGED

A Merriam-Webster

REG. U.S. PAT. OFF.

*Utilizing all the experience and resources of more than
one hundred years of Merriam-Webster dictionaries*

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14 -> (F. dim. of chemise)

onc-mur-gic \(')k-m-er-ik, k'ō-m-ə-; relating to or produced by chemotherapy
onc-mur-gi-cal-ly \-ə-ke(j)-l-ē-; adv

have at heart : think of fondly or reverentially (See
would have men — preciously this fraction of knowledg
Irving Babbitt) p : to contemplate, imagine, or recall for

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